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HARRITY SNYDER, LLP 11350 Random Hills Road SUITE 600 FAIRFAX, VA 22030			EXAMINER THAI, HANH B	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/748,666

Applicant(s)

TAYLOR ET AL.

Examiner

Hanh B. Thai

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on amendment filed 9/21/07.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19,21,23-27 and 30-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19,21,23-27 and 30-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. The following is Final Office Action in response to the amendment filed September 21, 2007. Independent claims 1, 14, 21 and 30 have been amended. Claims 20, 22 and 28-29 have been cancelled. Claims 32-33 are newly added. Claims 1-19, 21, 23-27 and 30-33 are pending in this application.

### ***Response to Arguments***

2. Applicant's arguments regarding "ranking lists of search results relative to one another based on a content of documents in each lists of search results (claim 1, response 9/21/07, pages 10-11), ranking lists of search results relative to one another based on a comparison ... (claim 14, pages 14-15), ranking the plurality of categories relative to one another (claim 21, pages 16-17) and ranking the categories corresponding to the input documents... (Claim 30, page 18)" have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-19, 21, 23-27 and 30-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Holbrook (US 6,961,731 B2) in view of Slackman (US 7,206,780 B2).

Regarding claim 1, Holbrook discloses a method comprising:

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- Receiving a search query (col.6, lines 43-67 and col.8, line 52 to col.9, line 11, Holbrook);
- performing a search in response to the query to determine documents related to a search query, the search being performed on a database containing a plurality of document categories to obtain a list of search results corresponding to each of at least two of the categories (Fig.2-3; col.6, lines 43-67 and col.8, line 52 to col.9, line 11, Holbrook discloses performing a search to obtain a list of search results of categories); and
- generating a document in which the search results are placed in an organization determined based, at least in part, on the ranking of the list of search results (Fig.3; Fig.7; Fig.9A and col.9, lines 2-6, Fig.3 of Holbrook showing the document of search results on the ranking list).

Holbrook, however, does not disclose ranking lists of search results relative to one another based on a content of documents in each lists of search results. In the related art, Slackman discloses searching a search query and ranking a list of search results based on a relevance value in the ranked list (abstract; Fig.2-4col.2, lines 26-34; col.3, lines 11-20 and col.4, lines 13-23, Slackman). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Holbrook to include the claimed feature as taught by Slackman. The motivation of doing so would have been to enhance the search system that allows the users to efficiently identify the search products or categories or topic of interest.

Regarding claims 2 and 15, Holbrook/Slackman combination discloses wherein the organization of the generated document includes two or more of the lists of search results placed

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in a separate section (Fig.4 showing the list of search results placed in a separate section “society”, “arts”, “shopping” or “sport”).

Regarding claims 3 and 16, Holbrook/Slackman combination discloses wherein more highly ranked lists of search results are displayed more prominently in the generated document than less highly ranked lists of search results (Fig.2-3 and col.9, lines 2-6, Holbrook discloses the “first numerically ranked matching- “1-50 sites” corresponding to “highly ranked list of search results”).

Regarding claims 4 and 23, Holbrook/Slackman combination discloses wherein the generated document includes the search results as hypertext transfer protocol links (col.9, line 66 to col. 10, line 3, Holbrook).

Regarding claims 5 and 24, Holbrook/Slackman combination discloses wherein the more highly ranked lists of search results are displayed in sections that include more links than the sections corresponding to the less highly ranked lists of search results (Fig.2-4 and col.9, lines 2-6, Holbrook discloses the “first numerically ranked matching- “1-50 sites” corresponding to “highly ranked list of search results”).

Regarding claims 6 and 25, Holbrook/Slackman combination discloses wherein at least one of the sections includes a title describing the category corresponding to the section (Fig.4 of Holbrook showing the list of search results placed in a separate section, titled as “society”, “arts”, “shopping” or “sport”).

Regarding claims 7, 17 and 26, Holbrook/Slackman combination discloses wherein at least one of the sections includes a link to additional search results for the category corresponding to the section (Fig.4 and step 504, Fig.5, Holbrook).

Regarding claims 8, 18 and 27, Holbrook/Slackman combination discloses wherein the generated document is a web page (Fig.2-3; col.6, lines 43-67 and col.8, line 52 to col.9, line 11, Holbrook).

Regarding claims 9 and 19, Holbrook/Slackman combination discloses wherein ranking the lists of search results is performed based on documents in the lists of search results (Fig.2-3; col.6, lines 43-67 and col.8, line 52 to col.9, line 11, Holbrook discloses performing a search to obtain a list of search results of categories).

Regarding claim 10, Holbrook/Slackman combination discloses wherein ranking the lists of search results is performed based on the search query (col.6, lines 43-67 and col.8, line 52 to col.9, line 11, Holbrook).

Regarding claim 11, Holbrook/Slackman combination discloses wherein a most highly ranked list of search results is displayed on a left hand side of the generated document (Fig.2-3; col.6, lines 43-67 and col.8, line 52 to col.9, line 11, Holbrook).

Regarding claim 12, Holbrook/Slackman combination discloses wherein the categories additionally include a new category or a product category (Fig.2-4 and corresponding text, Holbrook).

Regarding claim 13, Holbrook/Slackman combination discloses wherein the categories additionally include a general web page category (Fig.2-4 and corresponding text, Holbrook).

Regarding claim 14, Holbrook discloses a search engine comprising:

- a search component configured to identify documents related to a search query from a database containing a plurality of document categories, the search component obtaining a list of search results corresponding to each of at least two

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of the categories (Fig.2-3; col.6, lines 43-67 and col.8, line 52 to col.9, line 11, Holbrook discloses performing a search to obtain a list of search results of categories);

- a ranking component configured to rank the lists of search results (col.9, lines 2-6 and col. 10, lines 34-36, Holbrook discloses the “ranked matching of websites” reads on “ranking the lists of search results”), the ranking being based on the search query (Fig. 4; Fig.10; Fig.11B and col.10, lines 34-40); and
- an interface generation component configured to generate a document in which the search results are organized based, at least in part, on the ranking of the lists of search results (Fig.3; Fig.7; Fig.9A and col.9, lines 2-6, Fig.3 of Holbrook showing the document of search results on the ranking list).

Holbrook, however, does not disclose ranking lists of search results relative to one another based on a comparison. In the related art, Slackman discloses searching a search query and ranking a list of search results based on a comparison between two search results (abstract; Fig.2-4; col.2, lines 26-34; col.3, lines 11-20 and col.4, lines 13-23, Slackman). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Holbrook to include the claimed feature as taught by Slackman. The motivation of doing so would have been to enhance the search system that allows the users to efficiently identify the search products or categories or topic of interest.

Regarding claim 21, Holbrook discloses a method of organizing documents categorized into a plurality of categories, the method comprising:

- receiving a search query (col.10, lines 34-40);

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- performing a search based on the search query in each of the plurality of categories to locate the documents (col.10, lines 34-40);
- ranking the plurality of categories based on contents of the documents in each of the categories (col.9, lines 2-6 and col. 10, lines 34-36, Holbrook discloses the “ranked matching of websites” are organized in categories), the ranking being based on the search query and including looking for predetermined terms in the search query that tend to indicate a particular document category is likely to be related to the search query (Fig. 4; Fig.10; Fig.11B and col.10, lines 34-40); and
- generating a results document in which the documents are organized by category and in which the documents of higher ranking categories are more prominently placed in the results document (Fig.2-3 and col.9, lines 2-6, Holbrook discloses the “first numerically ranked matching- 1-50 sites” corresponding to “higher ranking categories in the result document”).

Holbrook, however, does not disclose ranking the plurality of document categories relative to one another. In the related art, Slackman discloses searching a search query and ranking documents of search results based on a relevance value in the ranked list (abstract; Fig.2-4; col.2, lines 26-34; col.3, lines 11-20 and col.4, lines 13-23, Slackman). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Holbrook to include the claimed feature as taught by Slackman. The motivation of doing so would have been to enhance the search system that allows the users to efficiently identify the search products or categories or topic of interest.



Regarding claim 30, Holbrook discloses a computer-readable medium containing programming instructions for execution by a processor, the computer-readable medium including:

- instructions for receiving input documents categorized into a plurality of categories (Fig.2-3; col.6, lines 43-67 and col.8, line 52 to col.9, line 11, Holbrook discloses document categorized into a plurality of categories), the plurality of document categories including an image category (Fig. 4; Fig.10; Fig.11B and col.10, lines 34-40, Holbrook discloses the ranking of web site “list of search results” including graphical representation such as “category icon” corresponding to “image category”);
- instructions for ranking the input documents based on contents of the input documents in each of the categories (col.9, lines 2-6 and col. 10, lines 34-36, Holbrook discloses the “ranked matching of websites” are organized in categories); and
- instructions for generating a results document in which the input documents are organized by category and in which the documents of higher ranking categories are more prominently placed in the results document (Fig.2-3 and col.9, lines 2-6, Holbrook discloses the “first numerically ranked matching- 1-50 sites” corresponding to “higher ranking categories in the result document”).

Holbrook, however, does not disclose ranking the input documents. In the related art, Slackman discloses searching a search query and ranking list of search results “input documents” based on a relevance value in the ranked list (abstract; Fig.2-4; col.2, lines 26-34; col.3, lines 11-

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20 and col.4, lines 13-23, Slackman). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Holbrook to include the claimed feature as taught by Slackman. The motivation of doing so would have been to enhance the search system that allows the users to efficiently identify the search products or categories or topic of interest.

Regarding claim 31, Holbrook/Slackman combination discloses receiving a search query; and performing a search based on the search query in each of the plurality of categories to locate the documents (Fig.2-4; col.6, lines 43-67 and col.8, line 52 to col.9, line 11, Holbrook discloses performing a search to obtain a list of search results of categories).

Regarding claims 32-33, Holbrook/Slackman combination discloses where ranking the lists of search results relative to one another includes:

calculating values that define a closeness of a comparison of the search query to the documents in each of the lists of search results (col.1, lines 42-51; col.2, lines 26-34; col.3, lines 11-20 and col.4, lines 13-23, Slackman); and

ranking the lists of search results based on the calculated values (col.2, lines 26-34; col.3, lines 11-20 and col.4, lines 13-23, Slackman).

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

1. Diamond et al. (US 6,842,761 B2) disclose full-text relevancy ranking.
2. Kim et al. (US 7,429,058 B2) discloses method of promoting strategic documents by bias ranking of search results.

3. Dutta (US Pub. 2002/0078045 A1) discloses system, method and program for ranking search results using user category weighting.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hanh B. Thai whose telephone number is 571-272-4029. The examiner can normally be reached on Mon-Thur (7:00AM - 4:30 PM).


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on 571-272-1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Hanh B Thai  
Examiner  
Art Unit 2163

December 6, 2007

  
DON WONG  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100